

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

TRIUMPH FOODS, LLC, CHRISTENSEN FARMS MIDWEST, LLC, THE HANOR COMPANY OF WISCONSIN, LLC, NEW FASHION PORK, LLP, EICHELBERGER FARMS, INC. and ALLIED PRODUCERS' COOPERATIVE, individually and on behalf of its members,

Plaintiffs,

v.

ANDREA JOY CAMPBELL, in her official capacity as Attorney General of Massachusetts, and ASHLEY RANDLE, in her official capacity as Massachusetts Commissioner of Agriculture,

Defendants.

Case No. 1:23-cv-11671-WGY

**PLAINTIFFS' MOTION FOR  
SUMMARY JUDGMENT, EXPEDITED  
BRIEFING SCHEDULE AND REQUEST  
FOR ORAL ARGUMENT**

Plaintiffs Triumph Foods, LLC ("Triumph"), together with Christensen Farms Midwest, LLC ("Christensen Farms"), The Hanor Company of Wisconsin, LLC ("Hanor"), New Fashion Pork, LLP ("NFP"), Eichelberger Farms, Inc. ("Eichelberger"), and Allied Producers' Cooperative ("APC"), both in its official capacity and on behalf of their members (collectively, "Plaintiffs"), by and through their counsel of record, respectfully request that the Court grant summary judgment on Plaintiffs' Federal Meat Inspection Act Preemption Claim pursuant to Federal Rule of Civil Procedure 56 and Local Rule 56.1. This Motion is based upon the accompanying Statement of Undisputed Material Facts for which there is no genuine issue to be tried, together with the accompanying Memorandum. Plaintiffs further refer to their previously submitted, and now stipulated, Request for Judicial Notice and Amended Request for Judicial Notice. ECF 86, 111.

**REQUEST FOR ORAL ARGUMENT AND EXPEDITED BRIEFING SCHEDULE**

Plaintiffs request, pursuant to Local Rule 7.1(d) and Local Rule 7.1(b)(2), for this Court

to enter an expedited briefing schedule for Defendants' response and fix a time and place for oral argument as soon as possible after the filing of Plaintiffs' Reply Memorandum in Support of Motion for Summary Judgment.

WHEREFORE, for the reasons set forth in Plaintiffs' Memorandum in Support of Motion for Summary Judgment and Statement of Undisputed Material Facts, Plaintiffs respectfully request this Court grant their Motion for Summary Judgment and enter judgment in their favor on Plaintiffs' Federal Meat Inspection Act Preemption Claim.

Dated: March 6, 2024

TRIUMPH FOODS, LLC, CHRISTENSEN  
FARMS MIDWEST LLC, THE HANOR  
COMPANY OF WISCONSIN, LLC, NEW  
FASHION PORK, LLP, EICHELBERGER  
FARMS, INC., and ALLIED  
PRODUCERS' COOPERATIVE, Plaintiffs.

By: /s/ Ryann A. Glenn

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*Attorneys for Plaintiffs*

**CERTIFICATE PURSUANT TO LOCAL RULE 7.1.(a)(2)**

Because Plaintiffs are filing this Motion pursuant to the Court's Order to do so, no additional meet and confer was conducted. *See* ECF 125.

/s/ Ryann A. Glenn

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 6th day of March 2024, the foregoing document was electronically filed with Clerk of the Court using the CM/ECF system which sent electronic notification of such filing to all CM/ECF Participants.

/s/ Ryann A. Glenn